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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

MIRIAM ROJAS-ROSAS and JULIO LADISLAO SANTIAGO-ORTIZ.  Plaintiffs,  v.  UNITED STATES OF AMERICA, BY AND THROUGH U.S. CUSTOMS AND BORDER PROTECTION.  Defendants.	CV-18-62-GF-BMM-JTJ  <b>STIPULATED FACTS</b>
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COMES NOW Plaintiffs and file the following Statement of Stipulated Facts  
pursuant to L.R. 16.2(b)(1).

1. Plaintiff Miriam Rojas-Rojas is a citizen of Mexico.

2. On or about November 13, 2015, Plaintiff Julio Ladislao Santiago-Ortiz entered the United States at the San Ysidro, California in possession of a B1/B2 visa and a Form I-94 Arrival/Departure Record.
3. On April 12, 2016, Plaintiff Santiago-Ortiz was the driver of a vehicle that was pulled over by the Montana Highway Patrol on Highway 87. At the time of the stop, Plaintiff Rojas-Rojas was a passenger in the vehicle.
4. During the stop, CBP was contacted and provided a license plate number and names of the occupants of the vehicle being driven by Plaintiff Santiago-Ortiz.
5. The Montana Highway Patrol issued a ticket for failure to wear a seatbelt.
6. On April 12, 2016, Plaintiff Santiago-Ortiz produced a B1/B2 visa and a Form I-94 Arrival/Departure Record to agents of U.S. Customs and Border Protection (“CBP”).
7. Mr. Shahid Haque authored correspondence directed to CBP indicating that he represented Rojas-Rojas, claimed that Rojas-Rojas had acquired “status” under deferred action for childhood arrivals, and inquired why she was being detained.
8. Mr. Haque authored correspondence directed to CBP indicating that he represented Santiago-Ortiz and Rojas-Rojas and stated: “Miriam Rojas Rosas has valid deferred action for childhood arrivals (‘DACA’) status, and therefore I do not understand on what basis she is being held. Julio Ladislao

Santiago Ortiz is the spouse of Miriam and has a visitor's visa. From what I understand, he was asked to come pick his wife up as a pretext to arrest him as well. Please immediately explain why these individuals are being detained."

9. On April 13, 2016, a federal immigration official issued an administrative document a Notice to Appear, alleging that Mr. Santiago-Ortiz "committed or conspired to commit a human trafficking offense in the United States or outside of the United States or are or have been a knowing aider, abettor, assister, conspirator, or colluder with such a trafficker in persons."
10. CBP seized the truck that Mr. Santiago-Ortiz was driving and sent Miguel Murillo- Jimenez a seizure notice. The seizure notice states that the "merchandise" was seized "at Sweetgrass, Montana on March 17, 215 [sic]."
11. The United States received Plaintiff's administrative claim on April 18, 2016.
12. Plaintiffs have met the conditions precedent to filing a claim under the Federal Tort Claims Act.

RESPECTFULLY SUBMITTED this 11th day of July, 2018.

By: /s/ Brian J. Miller  
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